



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,723	12/31/2003	Albert D. DuRee	410.0001	1372
76444	7590	02/10/2009	EXAMINER	
Setter Roche LLP			FEARER, MARK D	
P.O. Box 780			ART UNIT	PAPER NUMBER
Erie, CO 80516			2443	
			MAIL DATE	DELIVERY MODE
			02/10/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Pre-Interview Communication</b> (For use in the First Action Interview Pilot Program)	Application No.	Applicant(s)	
	10/750,723	DUREE, ALBERT D.	
	Examiner MARK D. FEARER	Art Unit 2443	Page 1 of 2

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ONE MONTH OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

This time period for reply is NOT extendable under 37 CFR 1.136(a). This communication constitutes notice under 37 CFR 1.136(a)(1)(i).

To avoid abandonment of the application, applicant must, within this time period for reply, file:

- (1) A letter requesting not to have a first-action interview, or
- (2) A completed Applicant Initiated Interview Request Form (PTOL-413A) accompanied by a proposed amendment or arguments.

Inventor participation in the Pre-First Action Interview is encouraged if it would expedite resolution of the application.

#### Disposition of Claims

- 3) Claim(s) 1-20 is/are pending in the application.  
3a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 4) Claim(s) \_\_\_\_\_ is/are allowed.
- 5) Claim(s) 1-20 is/are rejected.
- 6) Claim(s) 1 and 15 is/are objected to.
- 7) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 8) The specification is objected to by the Examiner.
- 9) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 10) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    - 1. Certified copies of the priority documents have been received.
    - 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

#### Contact Information

Examiner's Telephone Number: (571)270-1770

Examiner's Typical Work Schedule: Monday - Friday, 8:00 - 5:00 EST

Supervisor's Name: Tonia Dollinger

Supervisor's Telephone Number: 571-272-4170

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

<b>Pre-Interview Communication</b> (For use in the First Action Interview Pilot Program)				Application No. 10750723	Applicant(s) DUREE, ALBERT D.	
<b>Examiner</b> MARK D. FEARER				Art Unit 2443	Page 2 of 2	
<b>Notification of Rejection(s) and/or Objection(s)</b>						
#	Claim(s)	Reference(s) (if applicable)	Rejection Statutory Basis	Brief Explanation of Rejection		
1	1		112 second	First mention of soft switch reads 'the soft switch'. Language should read 'a soft switch' on first occurrence, and 'said soft switch' thereafter.		
2	15		112 second	There are two Claim 15's and no Claim 14. Application was examined as claim immediately following Claim 13 as Claim 14.		
3	1-20	A, B, C	103(a)	Ref. A (Bowes) discloses network switch with seven combinations of addresses, and routing between requesting and responding processors (column 21 line 53 - column 22 line 45, and column 27 line 27 - column 28 line 42).		
3	1-20	A, B, C	103(a)	Ref. B (MeLampy et al.) discloses assisting in controlling real-time transport protocol flow through multiple networks comprising a soft switch, edge routers, voip, rtp, sip, and h.323 (paragraphs 0020-0025, 0055, and 0058).		
3	1-20	A, B, C	103(a)	Ref. C (Abaye et al.) discloses Resource Reservation, monitoring packet delay, and routing manager (column 4 lines 6-27, and lines 38-56, and column 7 line 50 - column 8 line 37).		
<b>Expanded Discussion/Commentary</b>						
DATE: 2/6/2009		/MDF/		 		